



10032559 .070502

4

SUPPLEMENTAL DECLARATION FOR REISSUE PATENT APPLICATION BY INVENTOR	Attorney Docket Number	0107/0023
	First Named Inventor	Wesley H. VERKAART
	COMPLETE	
	Application Number	10/032,559
	Filing Date	January 2, 2002
	Group Art Unit	3763
	Examiner Name	

DECLARATION BY INVENTOR

As a below named inventor, I hereby declare that:

My residence, post office Address and citizenship are as stated below next to my name, I believe I am the original, first and sole inventor of the subject matter that is described and claimed in letters patent number 4,759,749, granted on July 26, 1988, and in the subject matter in the amendment

- ☒ submitted herewith,
- ☒ filed on March 23, 1992

and for which invention I solicit a reissue patent.

ACKNOWLEDGMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR (37 CFR 1.175)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, I acknowledge that duty to disclose information that is material to the examination of this application, namely, information where there is a substantial likelihood that a reasonable examiner would consider it important in deciding whether to allow the application to issue as a patent.

- ☐ In compliance with this duty, there is attached an Information Disclosure Statement in accordance with 37 CFR 1.98.



Copy

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Verkaart

Art Unit:

Examiner:

Serial No.: 10/032,559

Filing Date: January 2, 2002

For: Heater For Physiological Fluids

**APPOINTMENT OF ASSOCIATE ATTORNEY AND
CHANGE OF CORRESPONDENCE ADDRESS**

Hon. Director of the Patent
and Trademark Office
Washington, DC 20231

SIR:

Please recognize Louis Woo, Reg. No. 31,730, as an associate attorney in this application
and forward all correspondence to him at:

Mr. Louis Woo
Law Offices of Louis Woo
1901 North Fort Meyer Drive
Suite 501
Arlington VA 22209
Work: 703-522-8872
Work fax: 703-522-8874

Respectfully Submitted,
CLARK & BRODY

Conrad J. Clark
Reg. No. 30,340

Suite 600
1750 K Street NW
Washington, DC 20006
202-835-1111
202-835-1755 (fax)
February 13, 2002

Atty Docket: 0107/0023

**ASSENT BY ASSIGNEE FOR FILING OF REISSUE APPLICATION**

This is part of the application for a reissue patent filed herewith based on the original patent identified as follows:

Name of Patentee: Wesley H. Verkaart

Patent No.: 4,759,749

Date Patent Issued: July 26, 1988

Title: HEATER FOR PHYSIOLOGICAL FLUIDS

I am an assignee owning

- ☒ an undivided interest to the above original patent.
- ☐ a ____% (per cent) interest in the above original patent.

I assent to the accompanying application for reissue.

Attached is a "Statement Under 37 C.F.R. § 3.73(b) - Establishing Right of Assignee to Take Action"

Level 1, Inc.

Name of Assignee

Denise A. Dutson

Signature of Person Signing for Assignee

Date: 7/3/02

Denise Dutson, Vice President Business Development

(type or print name and title of person signing for assignee)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Name of Patentee: Wesley H. Verkaart
Patent No.: 4,759,749
Date Patent Issued: July 26, 1988
Title: HEATER FOR PHYSIOLOGICAL FLUIDS
Atty Docket: 0107/0023



Statement For Establishing Right of Assignee
To The Action Pursuant to 37 C.F.R. § 3.73(b)

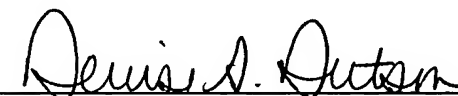
Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

To establish the right of Level 1, Inc. to file a reissue application, attached is a copy of the assignment recorded July 3, 1986 on Reel 4568, Frame 0987 of the Assignment Branch of the Patent and Trademark Office evidencing that Level 1 Technologies, Inc. was the original assignee of application serial number 06/866,910 filed May 27, 1986 from which U.S. patent 4,759,749 matured.

Attached herewith is a copy of the Articles of Amendment recorded on October 20, 1995 in the Secretary of State Office of the Commonwealth of Massachusetts evidencing the change of name from Level 1 Technologies, Inc. to SIMS Level 1, Inc.

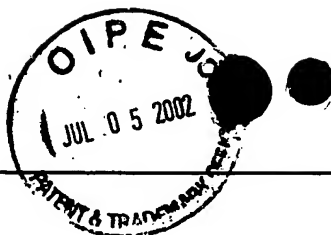
Further attached is a copy of a Change of Name to change the name from SIMS Level 1, Inc. to Level 1, Inc. recorded March 26, 2002 on Reel 012721, Frame 0875 of the Assignment Branch of the Patent and Trademark Office evidencing that Level 1, Inc., being the Assignee of U.S. patent 4,759,749, has the right to file the instant reissue application.



Signature of Person Signing

Date: 7/3/02

Denise Dutson, Vice President Business Development
(type or print name and title of person signing)



10032559.070502

STATEMENT OF INOPERATIVENESS OR INVALIDITY OF ORIGINAL PATENT (37 CFR 1.175)

I verily believe the original patent to be:

- ☐ partly
☐ wholly

inoperative or invalid by reason of (37 CFR 1.175(a)(1)):

- ☐ a defective specification
☐ a defective drawing
☒ the patentee claiming more or less than the patentee had a right to claim in the patent.

That the error listed above, which is/are being corrected, up to the time of the filing of this reissue supplemental declaration, arose without any deceptive intention on the part of the applicant.
(37 CFR 1.175(a)(2)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Name of Sole or First Inventor:			
Given Name (first and middle [if any])		Family Name or Surname	
Wesley H.		VERKAART	
Inventor's Signature			
Date	7/2/02	Country of Citizenship	U.S.A.
Residence	Duxbury, Massachusetts		
P.O. Address	15 Hounds Ditch Lane, Duxbury, Massachusetts 02332		



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

TO: BERMAN, AISENBERG & PLATT
1730 RHODE ISLAND AVENUE, N.W.
WASHINGTON, DC 20036

UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

RECEIVED

AUG 28 1986

BERMAN, AISENBERG & PLATT
ATTORNEYS AT LAW
WASHINGTON, D.C.

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF
THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS
AVAILABLE AT THE U.S. PATENT AND TRADEMARK OFFICE ON THE REEL AND FRAME
- NUMBER REFERENCED BELOW. A DIGEST OF THE DOCUMENT HAS ALSO BEEN MADE -
AND APPEARS IN THE OFFICE'S RECORDS AS SHOWN:

ASSIGNOR: 001 VERKAART, WESLEY H.

DOC DATE: 05/27/86

RECORDATION DATE: 07/03/86 NUMBER OF PAGES 001 REEL/FRAME 4568/0987

DIGEST: ASSIGNMENT OF ASSIGNORS INTEREST

ASSIGNEE: 501 LEVEL 1 TECHNOLOGIES, INC., 29 ALDRIN ROAD, PLYMOUTH, MA.
, 02360

SERIAL NUMBER 6-866910 FILING DATE 05/27/86
PATENT NUMBER ISSUE DATE 00/00/00

TITLE OF INVENTION: HEATER FOR PHYSIOLOGICAL FLUIDS

INVENTOR: 001 VERKAART, WESLEY H.

Assignment

In consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration paid to each of the undersigned

Insert Name(s)
of Inventor(s)

Wesley H. Verkaart

and

Insert Name
of Assignee

Level 1 Technologies, Inc.

Address

29 Aldrin Road, Plymouth, Mass. 02360

Title(s) of
Invention(s)

(hereinafter designated as the Assignee) the entire right, title and interest for the United States of America (as defined in 35 USC 100), and throughout the world, in the invention(s) known as

HEATER FOR PHYSIOLOGICAL FLUIDS

Date of Signing
of Application

for which application(s) for patent in the United States of America has (have) been executed by the undersigned

on

in any and all applications thereon, in any and all Letters Patent therefor, and in any and all reissues, extensions, renewals, divisions and continuations of such applications or Letters Patent to the full end of the term or terms for which such Letters Patent issue, such entire right, title and interest to be held and enjoyed by the above named Assignee the same as they would have been held and enjoyed by the undersigned had this assignment and sale not been made.

The undersigned agree(s) to execute all papers necessary in connection with the application(s) and any continuing, divisional, reissue or corresponding application(s) thereof throughout the world and also to execute separate assignments in connection with such applications as the Assignee may deem necessary or expedient.

The undersigned agree(s) to execute all papers necessary in connection with any interference which may be declared concerning the application(s) or continuation, division or reissue thereof and to cooperate with the Assignee in every way possible in obtaining evidence and going forward with such interference.

The undersigned agree(s) to execute all papers and documents and perform any act which may be necessary in connection with claims or provisions of the International Convention for Protection of Industrial Property or similar agreements.

The undersigned agree(s) to perform all affirmative acts which may be necessary to obtain a grant of a valid United States patent to the Assignee.

The undersigned hereby authorize(s) and request(s) the Patent Office Officials throughout the world to issue any and all Letters Patent resulting from said application(s) to the said Assignee, as Assignee of the entire interest, and hereby covenants that he has (they have) full right to convey the entire interest herein assigned, and that he has (they have) not executed, and will not execute, any agreement in conflict herewith.

The undersigned hereby grant(s) IRWIN M. AISENBERG (Registration No. 19007), STANFORD W. BERMAN (Registration No. 17909), and MICHAEL T. PLATT (Registration No. 20086), 1730 Rhode Island Avenue, N.W., Washington, D.C. 20036, the power to insert on this assignment any further identification which may be necessary or desirable in order to comply with the rules of the United States Patent and Trademark Office for Recordation of this document.

In witness whereof, executed by the undersigned on the date(s) opposite the undersigned name(s).

Date 5/27/86, Name of Inventor Wesley H. Verkaart
Date _____, Name of Inventor _____
Date _____, Name of Inventor _____
Date _____, Name of Inventor _____
Date _____, Name of Inventor _____

(This assignment should preferably be acknowledged before a Notary Public in the United States or a United States Consul. If not, then the execution by the Inventor(s) should be witnessed by at least two witnesses who sign here.)

Witness Donald Platt

Witness Raymond Curran

ACKNOWLEDGEMENT

This _____ day of _____, 19____ before me
personally came the above-named _____

to me personally known as the individual(s) who executed the foregoing assignment, who did acknowledge to me that he (they) executed the same of his (their) own free will for the purposes therein set forth.

SEAL

Official Signature

Official Title

The above assigned invention may be more particularly identified as follows:

U.S. Application Serial No. 866,910

Filing Date May 27, 1986

515076

1340017226

THE COMMONWEALTH OF MASSACHUSETTS SECRETARY OF
THE COMMONWEALTH

ARTICLES OF AMENDMENT
(General Laws, Chapter 156B, Section 72)

1995 OCT 20 AM 11: 12

CORPORATION DIVISION

I hereby approve the within Articles of Amendment and, the filing fee in
the amount of \$ 100 having been paid, said articles are deemed
to have been filed with me this 20th day of OCTOBER
19 95

Effective date: _____

William Francis Galvin

WILLIAM FRANCIS GALVIN

Secretary of the Commonwealth

TO BE FILED IN BY CORPORATION
Photocopy of document to be sent to:

C T Corporation System

2 Oliver Street

Boston, MA 02109

BEST AVAILABLE COPY

Change the number of shares and the par value (if any) of any type, class or series of stock which the corporation is authorized to issue, fill in the following:

The total presently authorized is:

WITHOUT PAR VALUE STOCKS		WITH PAR VALUE STOCKS		
TYPE	NUMBER OF SHARES	TYPE	NUMBER OF SHARES	PAR VALUE
Common:		Common:		
Preferred:		Preferred:		

Change the total authorized to:

WITHOUT PAR VALUE STOCKS		WITH PAR VALUE STOCKS		
TYPE	NUMBER OF SHARES	TYPE	NUMBER OF SHARES	PAR VALUE
Common:		Common:		
Preferred:		Preferred:		

Article 1 of the articles of organization/incorporation of this Corporation is hereby amended to read in its entirety as follows:

1. The name of the Corporation is SIMS Level 1, Inc.

EST AVAILABLE COPY

The Commonwealth of Massachusetts

6021

William Francis Galvin
Secretary of the Commonwealth

One Ashburton Place, Boston, Massachusetts 02108-1512

ARTICLES OF AMENDMENT (General Laws, Chapter 156B, Section 72)

We, David S. Buyher, President / ~~VICE PRESIDENT~~

and Michael J. Pedrick, Clerk / ~~ASSISTANT CLERK~~

of Level 1 Technologies, Inc.
(Exact name of corporation)

located at 160 Weymouth Street, Rockland, MA 02370
(Street address of corporation in Massachusetts)

certify that these Articles of Amendment affecting articles numbered:

Article 1

(Number those articles 1, 2, 3, 4, 5 and/or 6 being amended)

by unanimous written consent dated
of the Articles of Organization were duly adopted at a meeting held on October 17, 1995, by vote of:

40,000 shares of common stock of 40,000 shares outstanding,
(type, class & series, if any)

 shares of of shares outstanding, and
(type, class & series, if any)

 shares of or shares outstanding,
(type, class & series, if any)

being at least a majority of each type, class or series outstanding and entitled to vote thereon: ~~For amendments adopted pursuant to Chapter 156B, Section 71.~~

*Delete the inapplicable words.

**Delete the inapplicable clause.

For amendments adopted pursuant to Chapter 156B, Section 71.

For amendments adopted pursuant to Chapter 156B, Section 71.

Note: If the space provided under any article or item on this form is insufficient, additions shall be set forth on one side only of a 8 1/2 x 11 sheet of paper with a left margin of at least 1 inch. Additions to more than one article may be made on a single sheet so long as each article requiring each addition is clearly indicated.

BEST AVAILABLE COPY

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The foregoing amendment(s) will become effective when these Articles of Amendment are filed in accordance with General Laws, Chapter 156B, Section 6 unless these articles specify, in accordance with the vote adopting the amendment, a later effective date not more than thirty days after such filing, in which event the amendment will become effective on such later date.

Later effective date: _____

SIGNED UNDER THE PENALTIES OF PERJURY, this 11th day of October, 19 95



_____, President / XXX of XXXXXXX



_____, Clerk / XXX of XXXXXXX



UNITED STATES
PATENT AND
TRADEMARK OFFICE

REC'D MAY 28 2002

MAY 23, 2002

PTAS

Chief Information Officer
Washington, DC 20231
www.uspto.gov

LAW OFFICES OF LOUIS WOO
LOUIS WOO, ESQ.
1901 N. FORT MYER DRIVE
SUITE 501
ARLINGTON, VA 22209



102040302A

UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 03/26/2002

REEL/FRAME: 012721/0875
NUMBER OF PAGES: 4

BRIEF: CHANGE OF NAME (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

SIMS LEVEL 1, INC.

DOC DATE: 07/01/2001

ASSIGNEE:

LEVEL 1, INC.
160 WEYMOUTH STREET
ROCKLAND, MASSACHUSETTS 02370

SERIAL NUMBER: 10032559
PATENT NUMBER:

FILING DATE:
ISSUE DATE:

SERIAL NUMBER: 09387732
PATENT NUMBER:

FILING DATE: 09/01/1999
ISSUE DATE:

SERIAL NUMBER: 08962596
PATENT NUMBER: 5961700

FILING DATE: 10/31/1997
ISSUE DATE: 10/05/1999

012721/0875 PAGE 2

ANTIONE ROYALL, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS

04-02-2002



To the Assistant Commissioner for Patents

Copy thereof.

102040302

1. Name of conveying party(ies)

SIMS Level 1, Inc.

Addit'l name(s) of conveying party(ies) attached? ☐ Yes ☒ No

3. Nature of conveyance:

- ☐ Assignment ☐ Merger
☐ Security Agreement
☒ Change of name
☐ Other

Execution Date: July 1, 2001

2. Name and address of receiving party(ies):

Level 1, Inc.
160 Weymouth Street
Rockland, MA 02370

Addit'l. name(s) & address(es) attached? ☐ Yes ☒ No

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is:

A. Patent Application No.(s) 10/032,559

B. Patent No.(s) 5,961,700

09/387,732

Additional numbers attached? ☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Louis Woo, Esq.
Law Offices of Louis Woo
1901 N. Fort Myer Drive
Suite 501
Arlington State: VA Zip: 22209

6. Total number of applications and patents involved [3]

7. Total fee (37 CFR 3.41).....\$ 120.00

- ☒ Enclosed
☐ Authorized to be charged to deposit account
☒ Charge deficiencies/credit overpayments to Deposit Account 50-0501

8. Deposit Account No: 50-0501
(Attach duplicate copy of this page if paying by deposit account)

DO NOT USE THIS SPACE

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Louis Woo

Reg. No. 31,730

Date: March 22 2002

Total number of pages comprising cover sheet: [4]

04/01/2002 LMUELLER 00000049 10032559

01 Fee:581

120.00 OP

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Washington, D.C. 20231

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The Commonwealth of Massachusetts

William Francis Galvin
Secretary of the Commonwealth
One Ashburton Place, Boston, Massachusetts 02108-1512

ARTICLES OF AMENDMENT (General Laws, Chapter 156B, Section 72)

Examiner

Name
Approved

We, Howard W. Donnelly, *President / *Vice President,

and Walter E. Orme, *Clerk / *Treasurer,

of SIMS Level 1, Inc.
(Exact name of corporation)

located at 160 Weymouth Street, Rockland, MA 02370
(Street address of corporation in Massachusetts)

certify that these Articles of Amendment affecting articles numbered:

Article 1

(Number those articles 1, 2, 3, 4, 5 and/or 6 being amended)

by written consent dated
of the Articles of Organization were duly adopted ~~on~~ July 1, 20 01, by vote of

200,000 shares of common stock of 200,000 shares outstanding,
(type, class & series, if any)

 shares of of shares outstanding, and
(type, class & series, if any)

 shares of of shares outstanding,
(type, class & series, if any)

C ☐
P ☐
M ☐
R.A. ☐

~~being at least a majority of each type, class or series outstanding and entitled to vote thereon: ~~xxxx~~ being at least a majority of each type, class or series outstanding and entitled to vote thereon and of each type, class or series of shares of the corporation then outstanding and entitled to vote thereon.~~

*Delete the inapplicable words.

**Delete the inapplicable clause.

¹ For amendments adopted pursuant to Chapter 156B, Section 70.

² For amendments adopted pursuant to Chapter 156B, Section 71.

Note: If the space provided under any article or item on this form is insufficient, additions shall be set forth on one side only of separate 8 1/2 x 11 sheets of paper with a left margin of at least 1 inch. Additions to more than one article may be made on a single sheet so long as each article requiring each addition is clearly indicated.

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To *change* the number of shares and the par value (if any) of any type, class or series of stock which the corporation is authorized to issue, fill in the following:

The total *presently* authorized is:

WITHOUT PAR VALUE STOCKS		WITH PAR VALUE STOCKS		
TYPE	NUMBER OF SHARES	TYPE	NUMBER OF SHARES	PAR VALUE
Common:		Common:		
Preferred:		Preferred:		

Change the total authorized to:

WITHOUT PAR VALUE STOCKS		WITH PAR VALUE STOCKS		
TYPE	NUMBER OF SHARES	TYPE	NUMBER OF SHARES	PAR VALUE
Common:		Common:		
Preferred:		Preferred:		

BEST AVAILABLE COPY

Article 1 of the Articles of Organization/Incorporation of this Corporation is hereby amended to read in its entirety as follows:

1. The name of the Corporation is Level 1, Inc.

BEST AVAILABLE COPY

The foregoing amendment(s) will become effective when these Articles of Amendment are filed in accordance with General Laws, Chapter 156B, Section 6 unless these articles specify, in accordance with the vote adopting the amendment, a later effective date not more than *thirty days* after such filing, in which event the amendment will become effective on such later date.

Later effective date: _____.

SIGNED UNDER THE PENALTIES OF PERJURY, this _____ day of _____, 20 _____.

Howard W. Donnelly

_____, President / ~~XXXXXXXXXX~~

Walter E. Orme

_____, Clerk / ~~XXXXXXXXXX~~

*Delete the inapplicable words.

1,31,32

To the Assistant Commissioner for Patents: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies)

SIMS Level 1, Inc.

Addit'l name(s) of conveying party(ies) attached? ☐ Yes ☒ No

3. Nature of conveyance:

- ☐ Assignment ☐ Merger
☐ Security Agreement
☒ Change of name
☐ Other

Execution Date: July 1, 2001

2. Name and address of receiving party(ies):

Level 1, Inc.
160 Weymouth Street
Rockland, MA 02370

Addit'l. name(s) & address(es) attached? ☐ Yes ☒ No

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is:

A. Patent Application No.(s) 10/032,559

B. Patent No.(s) 5,961,700

09/387,732

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Louis Woo, Esq.
Law Offices of Louis Woo
1901 N. Fort Myer Drive
Suite 501
Arlington State: VA Zip: 22209

6. Total number of applications and patents involved [3]

7. Total fee (37 CFR 3.41).....\$ 120.00

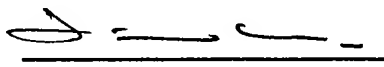
- ☒ Enclosed
☐ Authorized to be charged to deposit account
☒ Charge deficiencies/credit overpayments to Deposit Account 50-0501

8. Deposit Account No: 50-0501
(Attach duplicate copy of this page if paying by deposit account)

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9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.



Date:

March 22 2001

Louis Woo
Reg. No. 31,730

Total number of pages comprising cover sheet: [4]

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